

## **Application for Continued Withdrawal McGregor Range, New Mexico**

The following information is submitted pursuant to making application for the extension of the withdrawal of McGregor Range, New Mexico, in accordance with 43 Code of Federal Regulations (CFR) § 2310.1-2(c) and 43 United States Code (USC) 157.

### **1. Name and Address of Applicant (43 CFR § 2310.1-2[c][1]); (43 USC 157 [1]):**

Commander, United States Army Air Defense Artillery Center and Fort Bliss  
Department of the Army, Fort Bliss, Texas 79916

### **2. Statement of Designation and Delegation of Authority (43 CFR § 2310.1-2[c][2]); (43 USC 157 [4]):**

The Commanding General of the United States Army Air Defense Artillery Center and Fort Bliss has delegated authority by the Secretary of the Army to make application to the Department of the Interior, Bureau of Land Management (BLM) for the continued withdrawal (renewal) of McGregor Range, New Mexico, to support military training and testing activities.

### **3. Administration by agency other than the Department of the Interior (43 CFR § 2310.1-2[c][3]):**

Not applicable

### **4. Type of withdrawal action requested (43 CFR § 2310.1-2[c][4]):**

This request is for the renewal of the existing McGregor Range, New Mexico military land withdrawal.

### **5. Legal description of the proposed withdrawal (43 CFR § 2310.1-2[c][5][iii]):**

a) McGregor Range is located in Otero County, New Mexico. The legal description for this proposed withdrawal is the same as published by the BLM in *Federal Register Notice 18960, Vol. 52, No. 97*, dated May 20, 1987 (Attachment 1) as amended by *Federal Register Notice 26188, Vol. 52, No. 133*, dated July 13, 1987 (Attachment 2). Lands within the exterior boundaries of McGregor Range which are owned in fee by the Department of the Army (DA) are excluded from the application.

b) The exterior boundaries of the McGregor Range land withdrawal encompass 678,108.15 acres. This application encompasses 608,384.87 net acres of public lands.<sup>1</sup>

### **6. Overlapping or existing withdrawals (43 CFR § 2310.1-2[c][6]):**

Not applicable. The only existing withdrawal was executed under Public Law (PL) 99-606 and is the subject of this renewal application. No additional lands are being requested as part of this action.

---

<sup>1</sup> The withdrawn area of 608,384 acres presented in this application differs from the 609,395 acres stated as the proposed withdrawal in the Draft Legislative Environmental Impact Statement (LEIS). It was determined, after the publication of the Draft LEIS, that the 1,010 acres of state land that was transferred to the BLM were included in the *Federal Register Notice 18960, Vol. 52, No. 97*, dated May 20, 1987. Therefore, the correct area of land requested for withdrawal renewal is 608,384 acres. The information presented in the Draft LEIS will be corrected prior to publication of the Final LEIS.

**7. Public Purpose or Statutory Program (43 CFR § 2310.1-2[c][7]):**

The withdrawal of McGregor Range is necessary for national security purposes. U.S. military strategy requires armed forces that are trained, equipped, and ready to defend our nation's interests. The McGregor Range, an integral part of the Fort Bliss Range Complex, supports the training of Fort Bliss units. The withdrawn lands of McGregor Range are needed to provide sufficient space to conduct realistic and challenging military training for our nation's military forces; develop and test future concepts for fighting wars; and support our sister services and allied military education and training programs.

**8. Management of withdrawn lands (43 CFR § 2310.1-2[c][7] ; (43 USC 157 [5]):**

The management of McGregor Range lands and natural resources are discussed in the following documents:

- a) *McGregor Range, New Mexico, Land Withdrawal Renewal Legislative Environmental Impact Statement*;
- b) *Ft Bliss Integrated Natural Resource Management Plan*;
- c) *Ft Bliss Integrated Cultural Resource Management Plan*;
- d) *Resource Management Plan Amendment and the Memorandum of Understanding between the Department of Interior, Bureau of Land Management and Headquarters, U.S. Army (NM-309)*.

Military training and testing includes the continued use of ordnance, munitions, and hazardous materials which would be managed in accordance with applicable laws, regulations, and U.S. Army (Army) procedures.

**9. Withdrawal from Public Land Laws (43 CFR § 2310.1-2[c][8] );(43 USC 157 [7]):**

The lands would continue to be withheld from settlement, sale, location, or entry under the public land laws as they have been under PL 99-606. Nonmilitary uses of the land would remain largely the same. The Secretary of the Interior would continue to co-manage nonmilitary uses of the withdrawn lands, including hunting and recreation, wildlife habitat management, and grazing, with approval from the Army. However, the Secretary of the Army would retain the authority to limit public access to the range for military operations, protection of public safety, or national security requirements. The BLM (Las Cruces Field Office) would continue to co-manage nonmilitary uses of McGregor Range in accordance with the *White Sands Resource Area Resource Management Plan, October 1986*, as amended by the *Resource Management Plan Amendment, McGregor Range, September 1990*.

All activities and access on McGregor Range would continue to be administered by the Army as specified in the *Memorandum of Understanding between the U.S. Department of the Interior – Bureau of Land Management and the U. S. Department of the Army Concerning Policies, Procedures, and Responsibilities Related to Land Use Planning and Resource Management of McGregor Range (MOU-NM-309), 1990*. All persons would continue to be required to coordinate access and use with the Range Commander (through the Range Development and Enforcement Office) to ensure safety and to avoid interference with military missions. Members of the public would be required to obtain annual access permits from either the Army or BLM.

The previous withdrawal action (PL 99-606) for the McGregor Range permitted the continuation of grazing, protection of wildlife and wildlife habitat, control of predatory animals, recreation, and

prevention and suppression of nonmilitary-caused fires, to the extent that they do not conflict with the military mission. The following paragraphs summarize nonmilitary users and uses of resources on McGregor Range proposed to continue under this application for withdrawal renewal.

**Grazing.** Grazing would continue to be permitted under 10 USC § 2667 on a noninterference basis with military missions. The Army has identified areas that have relatively low safety risk from prior military operations (e.g., ordnance and explosive hazards, and debris) and that have been opened up to grazing. These areas correspond generally with Training Areas 10 through 23. There are 14 grazing units totaling 271,000 acres.

**Recreation.** Public access would only be permitted in areas that are considered safe and compatible with current and past military activity. On a weekly basis, the Range Scheduling Office would issue a roster of areas that are available for public recreational use. Public access to Training Areas 29, 30, 31, and 32 is never permitted due to potential ordnance and explosive hazards and debris in active impact areas.

Both licensed antelope and deer hunts would continue to be conducted annually on McGregor Range. The New Mexico Department of Game and Fish manages game species population while access for these hunts is in accordance with Army procedures. Hunting schedules are coordinated with the Army well in advance to ensure that they can occur without conflict with military missions.

**Mineral Uses.** Under PL 99-606, the public lands of McGregor Range were withdrawn from use under the mining laws, mineral leasing, and geothermal leasing laws. Any application to the BLM for exploration, extraction, or production of locatable minerals (such as gold, zinc, copper), salable minerals (such as sand and gravel), and leasable minerals (such as oil, gas, and geothermal resources) on withdrawn land, would require concurrence by the Army prior to BLM's processing and granting the application. McGregor Range is currently closed for locatable minerals and is expected to remain closed under the provisions of the BLM's *White Sands Resource Management Plan*, as amended by the *McGregor Range Resource Management Plan Amendment*.

**Special Management Areas.** The McGregor Black Grama Grassland Area of Critical Environmental Concern (ACEC) would continue to be managed to protect valuable biological resources and to study the ecology of undisturbed grassland. The ACEC is maintained and managed jointly through cooperative agreements between the Army, the BLM, and New Mexico State University.

Culp Canyon Wilderness Study Area (WSA) will continue to be managed under the BLM's *Interim Management Policy and Guidelines for Lands under Wilderness Review* to prevent impairment of wilderness value until Congress acts to determine its status.

**Access and Rights-of-Way.** New Mexico Highway 506 crosses the north end of the range, providing access from U.S. Highway 54 to small communities and ranches on the north and east side of the range. Permits are not required to use this roadway. Public access would continue to be provided along this route. However, the Army would restrict access along the route when military operations could cause unsafe conditions. Currently, the highway is usually closed for portions of 2 or 3 days each week during missile firings from September through November, and for portions of each day during a 2-week period following Roving Sands.

El Paso Electric Company would retain its existing easement for a high voltage (345 kV) electric transmission line across the north end of McGregor Range. Easements would not be required for infrastructure constructed by the Army within McGregor Range, such as telephone or utility distribution lines. However, easements would be required for new telephone or utility lines originating off-range that

enter onto the range. Easement applications on withdrawn land would generally be processed and granted by BLM with Army concurrence.

**10. Temporary Land Use (43 CFR § 2310.1-2[c][9]):**

Land uses currently permitted under PL 99-606, as described in item (9) above may continue to be permitted until Congress acts on this application.

**11. Analysis and Explanation of Alternative to Withdrawal (43 CFR § 2310.1-2[c][10]):**

Only a withdrawal would segregate the lands necessary for military training while protecting public safety. Military testing and training activities performed at McGregor Range cannot be statutorily accommodated under either a right-of-way or a cooperative agreement.

**12. Duration of Withdrawal (43 CFR § 2310.1-2[c][11]); (43 USC 157 [6]):**

The DA is applying for withdrawal of McGregor Range for a period of 50 years, from 2001 to 2051. One component of the U.S. National Security Strategy requires armed forces that are ready to fight and win when called upon. The Department of Defense supports the National Security Strategy by providing a ready force that is trained under conditions as realistic as possible. McGregor Range provides a realistic training ground as it is the only Army training installation capable of supporting the firing of Patriot and other advanced weapon systems. McGregor Range also provides a training environment with the operational depth that will be required to support evolving doctrine, tactics and weapon systems. It is unlikely that this strategy will change substantially within the next 50 years.

**13. Alternative Sites and Costs (43 CFR § 2310.1-2[c][12]):**

The DA has determined that there are no suitable alternative sites to McGregor Range. Replacement of the infrastructure on McGregor Range, including two range camps (McGregor and Orogrande) and two missile complexes, would require a substantial new investment and is impractical due to the unavailability of comparable land and associated airspace elsewhere. Discussion of the this proposal and alternatives considered may be found in the *Legislative Environmental Impact Statement – McGregor Range Land Withdrawal Renewal*.

Privately owned infrastructure on McGregor Range includes utilities, such as pipelines and power lines, located on rights-of-way issued by the BLM. There will be no displacement of private infrastructure

**14. Statement of Water Requirements (43 CFR § 2310.1-2[c][13]) ; (43 USC 157 [8]):**

Activities on McGregor Range will continue to require water. Fort Bliss purchases potable water from El Paso Water Utilities to supply the McGregor Range Camp. Approximately 40,000 gallons per day (gpd) of water are required for the resident population. That amount could be increased by about 50 percent to 60,000 gpd, or about 67 acre-feet per year (afy), to accommodate usage by visitors, range users, and temporary personnel.

During a period of mobilization, the population of McGregor Range could be expected to increase by about 900 daily range-use personnel, which would result in an estimated total water demand of about 130,000 gpd (145 afy). It is anticipated that this water would also be acquired from El Paso Water Utilities.

Water from the Army's rights to 110,000 gpd from the Sacramento River and Carrizo Springs will continue to be provided through the existing distribution system for the benefit of wildlife and to support the current BLM grazing program on McGregor Range.

**15. Location of Application Records (43 CFR § 2310.1-2[c][14]):**

Documents pertaining to this withdrawal will be available for examination at the following locations as the case file is developed:

Bureau of Land Management  
Las Cruces Field Office  
1800 Marquess  
Las Cruces, New Mexico  
Telephone: (505) 525-4300

New Mexico State University Library  
Frenger & Williams Street  
Las Cruces, New Mexico  
Telephone: (505) 646-1508

Branigan Memorial Library  
200 E. Picacho Avenue  
Las Cruces, New Mexico  
Telephone: (505) 526-1045

Alamogordo Public Library  
920 Oregon Avenue  
Alamogordo, New Mexico  
Telephone: (505) 439-4140

Fort Bliss Center Library  
Building 2E  
East Wing Basement  
Fort Bliss, Texas  
Telephone: (915) 568-6156

University Library  
University of Texas at El Paso  
El Paso, Texas  
Telephone: (915) 747-5683

El Paso Public Library  
501 N. Oregon Street  
El Paso, Texas  
Telephone: (915) 543-5433

**Attachments**

Exhibit 1: Federal Register Notice 18960, Vol. 52, No. 97, dated May 20, 1987  
Exhibit 2: Federal Register Notice 26188, Vol. 52, No. 133, dated July 13, 1987